



NATIONAL AMERICAN
WOMAN SUFFRAGE ASS'N

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NELLIE: FIRST WOMAN ADMITTED TO THE IDAHO BAR

Helen Louise Nichols Young was a prominent figure in women’s rights in Idaho. She was admitted to the Idaho Bar before she had the right to vote. In fact, at the time, she had neither the right to vote nor the right to be admitted to the Idaho Bar; however, that did not stop her from pursuing both. *Continued on page 2*

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Image from the Library of Congress: Prints and Photographs Division.

Helen, who preferred to go by “Nellie,” was born in 1862 in Lansing, Michigan. Her family traveled to California and Nevada before eventually settling in Osburn, Idaho. Her step-father had a law practice which provided her first exposure to the profession. However, a state statute in place at the time restricted the licensing of lawyers to men. As a result, Nellie initially chose teaching in Shoshone County as her profession. However, she kept her eye on becoming a lawyer.

On October 26, 1895, at the age of 33, Nellie achieved this goal, and became the first woman admitted to the Idaho State Bar. To accomplish this, she enlisted the support of two influential figures in Idaho law: Weldon Brinton Heyburn—whom she had previously met when she hired him to represent her in a quiet title action—and W. W. Woods. They vouched for her knowledge, her background, and even cited books that she had used during her study of the law—specifically *Blackstone’s Commentaries*.

In addition to being the first woman lawyer in Idaho, Nellie also was instrumental in the women’s suffrage movement. In 1896, Idaho amended its Constitution to secure women’s right to vote, which can be attributed to the vigorous efforts of the National American Woman Suffrage Association, of which Nellie had been an active member.

NELLIE YOUNG (NOT PICTURED)

ATTRACTED THE ATTENTION OF THE NATIONAL AMERICAN WOMAN SUFFRAGE ASSOCIATION AND AT THE STATEWIDE CONVENTION NELLIE WAS ELECTED AS VICE-PRESIDENT-4 MONTHS BEFORE IDAHO’S CONSTITUTION WAS AMENDED TO ALLOW WOMEN THE RIGHT TO VOTE.

Following her admission to the Bar, Nellie continued to work as a teacher until an opportunity in politics presented itself. In 1900, she ran against Charles Vance for Superintendent of Public Instruction for Shoshone County. Nellie won the election by a mere 9 votes.

Eventually Nellie drifted from politics, teaching, and Idaho, and moved to New York state, where she pursued her newfound passion in Christian Science. In 1907, she published *Scriptural Healing: Arranged from the Bible*. While Nellie lived out the rest of her days in New York, her legacy as the first woman to be licensed to practice law, as well as her efforts in the women’s suffrage movement, secured her prominence in Idaho history.

Branting, Steven D. *Historic Firsts of Lewiston, Idaho: Unintended Greatness*. Charleston, SC: The History Press, 2012.

Kristensen, Debora K. *The First 50 Women in Idaho Law: 1895-1975*. Boise: Idaho State Bar, 2005.

IDA LEGGETT: FIRST AFRICAN-AMERICAN WOMAN ADMITTED TO THE IDAHO BAR



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While the first woman was admitted to the Idaho bar in 1895, it would be another 91 years before the first African-American woman would gain admission. Ida Leggett grew up in Alabama

during a time when racial tensions were high. Separate water fountains existed for whites and colored people, along with different entrances to the courthouse. Additionally, as an African-American, she was not permitted in the whites only city library.

Despite the racial adversity that permeated her life, Ida persevered on account of having powerful role models. These included her mother, and also Supreme Court Justice Thurgood Marshall. Ida described her mother as a tough woman who “didn’t take anything.” After Ida read a snippet about Thurgood Marshall in an *Ebony* magazine article, her mother had filled in the details for her regarding his role as Chief Counsel for the NAACP Legal Defense and Education Fund. When Ida realized how important he was to the legal landscape, particularly schools, she became determined to become a lawyer.

Ida graduated from high school with relative ease; however, pursuing a higher education proved significantly more difficult. She attended the Tuskegee Institute in Alabama until she got married and had children. Circumstances, though, soon left her as a single mother. When she attempted to re-enter college, she was denied

financial aid based on the perception that she had chosen her career as a mother over other options. Like her mother, though, Ida “didn’t take anything,” and eventually graduated from the University of South Florida.

Following college, Ida was not immediately sure what she wanted to do with her life. She had aspirations of becoming a lawyer, but finances were tight, she had three children, and her ex-husband would not pay child support. She asked several attorneys for advice, but got no response. It was at that point that she thought, “I can do this myself,” and began applying to law schools throughout the nation.

Ida would later describe luck and preparation as fundamental to her success. She said her luck came in the form of a telegram from Gonzaga University offering a fellowship to pursue a legal education at its law school. Ida happily accepted. With three kids in tow, she moved from Florida to Washington state. She studied for her classes at night while her kids slept. After graduating from law school in 1986, she worked in Washington for several years until she was invited to start a private practice with a friend in Coeur d’Alene, Idaho.

It didn’t take long for Ida’s talents to be noticed in Idaho, and she was appointed to the Idaho Commission

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IDA LEGGETT

WAS NOT ONLY THE FIRST AFRICAN-AMERICAN WOMAN ADMITTED TO THE IDAHO BAR, BUT SHE WAS ALSO THE FIRST AFRICAN-AMERICAN WOMAN WHO SERVED ON THE IDAHO JUDICIARY. IDA WAS A JUDGE IN LEWISTON, IDAHO FOR SIX YEARS AT THE NEZ PERCE COUNTY COURTHOUSE.

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FREDERICK M. TAYLOR,
U.S. DISTRICT JUDGE FOR
THE DISTRICT OF IDAHO,
1954-1988

Fred Taylor did not become a U.S. District Judge by design. Born in Nampa, Idaho, in 1901, he grew up in a blue-collar family and spent his youth working for the family business and at a variety of odd jobs. He professed that, as a young man, he did not even know what a university was. During his youth, he thought he would spend his life being a truck driver.

However, while working for a transfer company following high school, Taylor decided that he needed to pursue an education and was persuaded by a friend to visit the University of Idaho to see if it was the right fit. Once he was there, some of Taylor's other friends bet that he'd drop out within six weeks. Taylor defied their expectations and stayed for five years, during which time he excelled. In addition to working to put himself through college, Taylor became the manager of the *Idaho Argonaut* student newspaper and served as his class president. In 1926, he received his L.L.B. degree.

Upon passing the bar exam (which he had taken in Lewiston), Taylor did not have the slightest thought of where his legal career might take him. It would not have been wise to form such expectations, he said, as in those days, "young lawyers had to go out and pick with the chickens." He hitched a ride to McCall, where he was persuaded by the local probate judge to run for prosecuting attorney. However, his lack of having a residence in Valley County prevented him from getting his name on the ballot. In the end, that didn't matter. A number of friends decided to write his name in, which resulted in his nomination on the Republican ticket in the primary. This led to his being elected in the general election.

Taylor spent nine years as the Valley County prosecutor. During this time, he married the deputy clerk of the court. As a prosecutor during the Great Depression, Taylor was paid about \$1,400 a year. He described this as more than adequate considering the times. In January 1938, Taylor moved to Boise and went into private practice. He also became involved in local and state politics. In 1942 he was elected to the Idaho State Senate, where he served until 1951. From 1944 until 1946, he also served as the Boise city attorney after the sitting city attorney went into the Marines to serve in World War II. In 1950, he managed Herman Welker's successful campaign for the U.S. Senate.

In 1954, Taylor was nominated by President Dwight D. Eisenhower to become a United States district judge for the District of Idaho. Taylor's nomination was for the newly created second judgeship in the district, which had only been permitted a single district judgeship since its creation in 1890. This new judgeship did not come without some controversy and had been opposed by Idaho Senator Henry Dworshak. At the time, Dworshak had felt that the state did not yet need a second federal district judge. In the end, though, Congress deemed the second judgeship necessary, and Dworshak did not stand in the way

of Taylor's confirmation. Devoted to the bench, Taylor remained a U.S. district judge for nearly 34 years, until his death in 1988 at age 86. From 1964 through 1971, he was the Chief Judge for the District of Idaho. One of Taylor's legacies as a judge was helping shape the laws for reapportionment and congressional districts.

Less than a year before his passing, Taylor reflected on his life and time on the bench in an interview for the Idaho Judicial Historical Society with former Governor Robert Smylie. In expressing the challenges that come from the bench, Taylor said: "I think the hardest part...is to decide matters and to come to a decision and feel that you've done the right thing."

He also commented on what he felt was a great peculiarity in the judiciary's role in shaping the law: "It's always been a mystery to me how some of the most important cases in the United States are decided by 5-4 decisions." He went on, "I just don't understand how great men, supposedly, can be that far apart. And yet the five make the law and that happens quite often."

In discussing the role of sentencing in criminal matters, Taylor said: "You don't reform anybody unless they want to be reformed. In the first place, the Court doesn't reform. If we send a man to the penitentiary and he wants to be reformed, that's where it will take place. I don't think the Court reforms except it might take that into consideration and put him on probation and give him a chance."

Upon Taylor's passing, Idaho Supreme Court Chief Justice Allan Shepard remarked that he had always demonstrated poise from the bench. Shepard described Taylor as "a wonderful man, had a fine sense of humor and didn't take himself too seriously. You always knew he was in control." He was remembered by Chief Magistrate Judge Larry M. Boyle as one of the giants of Idaho law and an exceptional presence on the federal bench.

"Judge Taylor—In his Own Words," Interview conducted by Robert Smylie for the Idaho Judicial Historical Society, 1987.

"Seniors." *Gem of the Mountains*, University of Idaho yearbook, 1926, p. 39.

"Taylor approved as district judge," *Spokane (Washington) Daily Chronicle*, July 20, 1954, p. a3.

"Fred M. Taylor is confirmed," *Lewiston (Idaho) Morning Tribune*, July 21, 1954, p. 1.

Larry M. Boyle, "Is there a Case for Lawyers? The Giants of Idaho Law," *The Advocate*, 46 (December 2003), p. 10.

IDA LEGGETT, CONTINUED



Photo courtesy Idaho Second District Court

of Pardons and Parole. In 1992, Ida was appointed to a district judgeship in Lewiston, taking over the position held by Linda Copple Trout, who had been elevated to become the first female justice on the Idaho Supreme Court. As a trial judge, Ida saw a variety of cases, including a high-profile double homicide where the defendant was a former deputy sheriff.

Ida served as a judge for six years until her resignation in 1998. She wanted to be closer to family in Washington state, where she continues to reside. While Ida no longer calls Idaho her home, she has left her mark as the first African-American woman to be admitted to the Idaho State Bar and also as the first African-American woman in the Idaho judiciary.

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FROM “SILVER CAPITAL OF THE WORLD” TO “CENTER OF THE UNIVERSE”



Photograph from Jan Kronsell

On September 25, 2004, Ron Garitone, mayor of Wallace, Idaho, stated: “I, Ron Garitone, Mayor of Wallace, Idaho, and all of its subjects, and being of sound body and mind, do hereby solemnly declare and proclaim Wallace to be the Center of the Universe.”

To the outside observer, such a statement would appear completely irrational. However, to those familiar with the region’s longstanding feud with the Environmental Protection Agency and the logic of “probalism,” it made perfect sense. The early 1990s had been a time of tension between the EPA and a number of small towns in north Idaho. Those tensions were escalated in 2002 when the EPA expressed concerns with pollution in the soil underneath Wallace. The EPA had discovered measurable amounts of lead sulfide in the dirt, which it attributed to local mining operations.

In contrast to the EPA, many residents and political leaders in Wallace maintained that the lead sulfide had been present for thousands of years and had posed no health risk during the hundred years of the area’s modern occupation. The EPA was not convinced, and invoked the idea of “probalism.” This idea centered on the ability to prove a negative: if residents of Wallace could not prove

ON SEPTEMBER 23, 2006 CITIZENS OF WALLACE, IDAHO COMMEMORATED THEIR DESIGNATION OF WALLACE AS THE CENTER OF THE UNIVERSE WITH A CUSTOM-BUILT MANHOLE.

that the lead sulfide was *not* dangerous, then it must be dangerous. This logic was unconvincing to the residents of Wallace.

In response, and in one of the most passive-aggressive forms of citizen revolt in Wallace history, the town declared that it was the center of the Universe. Using the logic of probalism, the mayor of Wallace proclaimed that if it could not be proved that Wallace was not the center of the Universe, then it must be the center of the Universe. The city even invited scientists from around the state to prove that it was *not* the center of the Universe; to date, none are known to have met this challenge.

The EPA eventually declared Wallace a Superfund site, and ultimately expanded the site from 21 square miles to 1,500 square miles. Local residents blamed this designation as having a significant impact on the economy—particularly the housing market. Being labeled a Superfund site means that the area is presumably contaminated by hazardous waste and is a candidate for cleanup due to human health risks. At least to the city of Wallace, one unexpected consequence of this designation was the discovery of the center of the Universe.

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